

1603713-Court-A-U.S.  
 HURMAN R. SIMS  
 LAW OFFICE OF HURMAN R. SIMS  
 222 NEW BRIDGE ST  
 JACKSONVILLE, NC 28540

IN RE  
 JAMES MACKENZIE JORDAN  
 2405 HINES FARMS ROAD  
 JACKSONVILLE, NC 28540  
 SSN or Tax I.D. XXX-XX-5395  
 -----  
 DEIDRE KNIGHT JORDAN  
 2405 HINES FARMS ROAD  
 JACKSONVILLE, NC 28540  
 SSN or Tax I.D. XXX-XX-1287

U.S. Bankruptcy Court  
 P.O. Box 791  
 Raleigh, NC 27602

Chapter 13  
 Case Number: 16-03713-5-DMW

#### NOTICE OF MOTION FOR CONFIRMATION OF PLAN

Joseph A. Bledsoe, III, Chapter 13 Trustee has filed papers with the Court to Confirm the Chapter 13 Plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the Motion For Confirmation Of Plan, or if you want the court to consider your views on the motion, then on or before 08/28/2017, you or your attorney must file with the court, pursuant to Local Rule 9013-1 and 9014-1, a written response, an answer explaining your position, and a request for hearing at:

U.S. Bankruptcy Court  
 PO Box 791  
 Raleigh, NC 27602

If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

You must also mail a copy to debtor(s), debtor(s) attorney and trustee at the following addresses:

Debtor(s): <b>JAMES MACKENZIE JORDAN    2405 HINES FARMS ROAD    JACKSONVILLE, NC 28540</b> -----	Attorney: <b>HURMAN R. SIMS    LAW OFFICE OF HURMAN R. SIMS    222 NEW BRIDGE ST    JACKSONVILLE, NC 28540</b>	Trustee: <b>Joseph A. Bledsoe, III    P.O. Box 1618    New Bern, NC 28563</b>
DEIDRE KNIGHT JORDAN 2405 HINES FARMS ROAD JACKSONVILLE, NC 28540		

If a response and a request for hearing is filed in writing on or before the date set above, a hearing will be conducted on the motion at a date, time and place to be later set and all parties will be notified accordingly.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: July 28, 2017

Joseph A. Bledsoe, III  
 Chapter 13 Trustee  
 P.O. Box 1618  
 New Bern, NC 28563

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
NEW BERN DIVISION**

**IN RE:**

**CASE NUMBER: 16-03713-5-DMW**

**JAMES MACKENZIE JORDAN  
DEIDRE KNIGHT JORDAN**

**DEBTOR(S)**

**CHAPTER 13**

**MINUTES OF 341 MEETING AND  
MOTION FOR CONFIRMATION OF PLAN**

NOW COMES the Trustee in the above referenced Chapter 13 case moving the Court for an Order confirming the Plan in the case and, in support, of said Motion, says unto the court:

1. That the debtor(s) appeared at the meeting of creditors, as required by 11 U.S.C. § 341 and submitted to an examination under oath by the Trustee on August 26, 2016, or has supplied answers to written interrogatories;
2. The debtor(s) has/have complied with all requirements of 11 U.S.C §521 (a) (1) (B) and Interim Bankruptcy Rules 1007 and 4002 (b), as modified and adopted by this Court, and this case has not been dismissed, nor is it subject to dismissal, under 11 U.S.C. §521 (i);
3. That there are no pending objections to confirmation or other filings or pleadings that would impede the confirmation of the Plan in this case;
4. That the trustee has reviewed the schedules and relative information in the debtor(s) petition and has made a determination of the disposable income for the debtor(s) in this case. The calculation of disposable income impacts what, if any, dividend will be received by unsecured creditors. The debtor(s) plan provides for payments of:

\$780.00	for	60	Months
	for		Months
	for		Months
	for		Months

5. That the liens of creditors which will not be paid in full during the term of the Plan or which are to be paid directly by the debtor(s) are not affected by the confirmation of this plan;
6. Generally, and subject to orders entered hereafter by the Court, any proof of claim that is not filed on or before November 24, 2016 (“Bar Date”) shall be disallowed. Claims of governmental units, proofs of which are not filed before January 16, 2017 (“Government Bar Date”) shall be disallowed;
7. That the claims of secured creditors shall be paid as secured to the extent of the claim or to the extent of the value of the collateral as set out below:

a. Claims to be paid directly by the Debtor:

<u>Creditor</u>	<u>Collateral</u>	<u>Repayment Rate/Term</u>
#010 Coastal Finance	'03 GMC Yukon	OUTSIDE
#011 Coastal Finance	Arrears – '03 GMC Yukon	\$626.72 to be paid over life of plan by Trustee

b. Continuing Long Term Debts to be paid by the Trustee:

**IF A PROOF OF CLAIM IS TIMELY FILED** the claim is to be paid on a monthly basis according to the terms of the contract effective the first month after confirmation. Arrearages, if any, are to be paid over the life of the plan. Two post-petition contractual payments shall be included in the administrative arrearage claim. **The Debtor is to resume direct payments upon completion of plan payments.**  
**(SEE PARAGRAPH 8 BELOW)**

<u>Creditor</u>	<u>Collateral</u>	<u>Repayment Rate/Term</u>
#800 Ditech Financial, LLC	Residence	Contractual payment in the amount of \$314.41 for 10 months followed by \$307.58 for 48 months to be made by Trustee effective with the October 2016 payment
#801 Ditech Financial, LLC	Residence administrative arrearage claim	\$628.82 to be paid over life of plan (August and September 2016 payments)
#802 Ditech Financial, LLC	Residence pre-petition arrears	\$5,279.52 to be paid over life of plan

c. Claims paid to extent of claims as filed (no cramdown):

<u>Creditor</u>	<u>Collateral</u>	<u>Repayment Rate/Term</u>
#004 Capital One Auto	'11 Mazda 6	\$8,756.87 @ 5.5% to be paid over life of plan
#022 Mariner Finance	2 <sup>nd</sup> Lien GMC Yukon	\$1,249.29 @ 5.5% to be paid over life of plan

d. Claims paid to extent of value:

<u>Creditor</u>	<u>Collateral</u>	<u>Present Value</u>	<u>Repayment Rate/Term</u>
NONE			

Pursuant to Local Rule 3070-1(b) some secured creditors may be entitled to pre-confirmation adequate protection payments.

8. **LONG TERM RESIDENTIAL MORTGAGE CLAIMS** shall be paid in a manner consistent with Local Rule 3070-2.
9. That the following creditors have filed secured proofs of claims but, due to the value placed on the collateral, the claims will be treated as unsecured and paid along with other unsecured claims. With respect to claims listed below for which the terms of repayment are listed as "Surrender," upon entry of an Order confirming the plan, as modified by this Motion, the automatic stay of §362(a) and the automatic co-debtor stay of §1301 shall thereupon be lifted and modified with respect to such property "for cause" under §362(a)(1), as allowed by Local Rule 4001-1(b).

NONE

Reference herein to "Direct" or "Outside" or similar language regarding the payment of a claim under this plan means that the debtor(s) or a third party will make the post-petition payments in accordance with the contractual documents which govern the rights and responsibilities of the parties of the transaction, including any contractual modifications thereof, beginning with the first payment that comes due following the order for relief;

10. That the treatment of claims indicated in paragraphs 7 and 9 above, are based on information known to the Trustee at the time of the filing of this Motion. The treatment of some claims may differ from that indicated if subsequent timely filed claims require different treatment;
11. That the following executory contracts and unexpired leases shall be either assumed or rejected as indicated below:

<u>Creditor</u>	<u>Property Leased/Contracted For</u>	<u>Treatment</u>
#003 Brunswick Apartments	Apartment lease	Reject
#025 Melissa Dutcher	Residential lease	Reject

12. That priority claims shall be paid in full over the term of the Plan;
13. That confirmation of this Plan will be without prejudice to pending Motions For Relief From the Automatic Stay and will be without prejudice to objections to claims and avoidance actions;
14. That confirmation of the Plan vests all property of the estate in the debtor(s);
15. That the attorney for the debtor(s) is requesting fees in the amount of \$5,000.00. The Trustee recommends to the Court a fee of \$5,000.00. If the recommended fee is different from that requested an explanation can be found in Exhibit 'A'.

s/ Joseph A. Bledsoe, III  
 Joseph A. Bledsoe, III  
 Standing Chapter 13 Trustee

**EXHIBIT 'A'****CASE NUMBER: 16-03713-5-DMW**

**DEBTORS:** JAMES MACKENZIE JORDAN  
DEIDRE KNIGHT JORDAN

**EMPLOYMENT:**

Debtor: ONSLOW COUNTY SCHOOLS GROSS INCOME: \$41,472.00  
Spouse: NEW BEGINNINGS \$27,120.00

**Prior Bankruptcy cases:** Yes  No  If so, Chapter filed

Disposition:

**Real Property:** House and Lot  Mobile home  Lot/Land  Mobile Home/Lot

Description: RESIDENCE, 2405 HINES FARMS RD., JACKSONVILLE, NC

FMV \$111,888.00 Date Purchased

Liens \$28,014.00 Purchase Price

Exemptions \$70,000.00 Improvements

Equity \$13,874.00 Insured For

Rent Tax Value

**COMMENTS:**

<b>Attorney Fees:</b>	Requested:	\$5,000.00	(excluding filing fee)
	Paid:	\$100.00	(excluding filing fee)
	Balance:	\$4,900.00	

**Trustee's Recommendation:** \$5,000.00

Comments:

**Plan Information:**

<u>Plan Information:</u>		<u>After 341</u>	<u>Payout % After 341</u>	
Total Debts	\$67,899.84	Pay in	\$46,800.00	Priority 100.00%
Priority	\$4,900.00	Less 6.00%	\$2,808.00	Secured 100.00%
Secured	\$35,958.51	Subtotal	\$43,992.00	Unsecured 15.54%
Unsecured	\$27,041.33	Req. Atty. Fee	Incl. w/ claims	Joint %
Joint Debts		Available	\$43,992.00	Co-Debts %
Co-Debtor				

**Objection to Confirmation:** **Payroll Deduction:** Yes  No

Pending: SEE COURT DOCKET

Resolved: SEE COURT DOCKET

**Motions Filed:** Yes  No

If so, indicate type and status: SEE COURT DOCKET

Hearing Date:

**CERTIFICATE OF MAILING**

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TASK: 07-26-2017.01030578.LSA000

TRUSTEE: 2V

COURT: 278

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Court Served Electronically

Trustee	Joseph A. Bledsoe, III		P.O. Box 1618 New Bern, NC 28563
Debtor	JAMES MACKENZIE JORDAN		2405 HINES FARMS ROAD JACKSONVILLE, NC 28540
Joint	DEIDRE KNIGHT JORDAN		2405 HINES FARMS ROAD JACKSONVILLE, NC 28540
799	000002	HURMAN R. SIMS 222 NEW BRIDGE ST	LAW OFFICE OF HURMAN R. SIMS JACKSONVILLE, NC 28540
008	000011	CHASE 1930 OLNEY AVE	C/O MRS ASSOC CHERRY HILL, NJ 08003
027	000025	MRS BPO LIC	1930 OLNEY AVENUE CHERRY HILL, NJ 08003
007	000010	CHASE	PO BOX 15298 WILMINGTON, DE 19850-5298
023	000022	MARINER FINANCE	22826 SUSSEX HIGHWAY SEAFORD, DE 19973
022	000021	MARINER FINANCE NORTH CAROLINA INC	8211 TOWN CENTER DRIVE NOTTINGHAM, MD 21236
001	000006	BANK OF AMERICA NC4-105-03-14	PO BOX 26012 GREENSBORO, NC 27420
005	000008	CAPITAL ONE BANK PO BOX 71083	BY AMERICAN INFOSOURCE CHARLOTTE, NC 28272-1083
006	000009	CAPITAL ONE BANK PO BOX 71083	BY AMERICAN INFOSOURCE CHARLOTTE, NC 28272-1083
002	000007	BRUNSWICK APARTMENTS	1001 HUNTER STONE DRIVE LELAND, NC 28451
003	000032	BRUNSWICK APARTMENTS	1001 HUNTER STONE DRIVE LELAND, NC 28451
019	000034	JEFFREY JORDAN	1220-24 HUNTERSTONE DRIVE LELAND, NC 28451
024	000023	MELISSA DUTCHER	603 NEW RIVER DRIVE JACKSONVILLE, NC 28540
025	000033	MELISSA DUTCHER	603 NEW RIVER DRIVE JACKSONVILLE, NC 28540
020	000019	MARINE FEDERAL CREDIT UNION PO BOX 1336	BANKRUPTCY DEPT. JACKSONVILLE, NC 28541-1336
021	000020	MARINE FEDERAL CREDIT UNION PO BOX 1336	BANKRUPTCY DEPT. JACKSONVILLE, NC 28541-1336
010	000004	COASTAL FINANCE	PO BOX 1930 SWANSBORO, NC 28584
011	000031	COASTAL FINANCE	PO BOX 1930 SWANSBORO, NC 28584
026	000024	MERCHANTS ADJUSTMENT SERVICE 56 N. FLORIDA ST.	PO BOX 7511 MOBILE, AL 36670
028	000026	REVENUE RECOVERY CORP	7005 MIDDLEBROOK PIKE KNOXVILLE, TN 37909
029	000027	REVENUE RECOVERY CORP	7005 MIDDLEBROOK PIKE KNOXVILLE, TN 37909

**CERTIFICATE OF MAILING**

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TASK: 07-26-2017.01030578.LSA000		DATED: 07/28/2017	
012	000013	COMENITY BANK PO BOX 182125	BKCY DEPT COLUMBUS, OH 43218-2125
031	000029	MIDLAND FUNDING, LLC PO BOX 2011	MIDLAND CREDIT MANAGEMENT INC. AGEN WARREN, MI 48090
032	000030	US DEPT OF EDUCATION	PO BOX 16448 ST. PAUL, MN 55116-0448
035	000037	EMERG PHYS ASSOC OF NC, P.C.	6681 COUNTRY CLUB DRIVE GOLDEN VALLEY, MN 55427
034	000036	EMERGENCY COVERAGE CORP.	6681 COUNTRY CLUB DRIVE GOLDEN VALLEY, MN 55427
014	000014	FINGERHUT	6250 RIDGEWOOD RD ST. CLOUD, MN 56303
013	000005	DITECH FINANCIAL LLC	PO BOX 6172 RAPID CITY, SD 57709
800	000038	DITECH FINANCIAL, LLC PO BOX 6154	FKA: GREEN TREE SERVICING, LLC RAPID CITY, SD 57709-6154
801	000039	DITECH FINANCIAL, LLC PO BOX 6154	FKA: GREEN TREE SERVICING, LLC RAPID CITY, SD 57709-6154
802	000040	DITECH FINANCIAL, LLC PO BOX 6154	FKA: GREEN TREE SERVICING, LLC RAPID CITY, SD 57709-6154
030	000028	STELLAR RECOVERY, INC STE 100	1327 HWY 2 WEST KALISPELL, MT 59901-3413
015	000015	HARRIS & HARRIS, LTD	111 W JACKSON BLVD 400 CHICAGO, IL 60604
016	000016	HARRIS & HARRIS, LTD	111 W JACKSON BLVD 400 CHICAGO, IL 60604
017	000017	HARRIS & HARRIS, LTD	111 W JACKSON BLVD 400 CHICAGO, IL 60604
018	000018	HARRIS & HARRIS, LTD	111 W JACKSON BLVD 400 CHICAGO, IL 60604
009	000012	CITIBANK / SEARS	PO BOX 790040 SAINT LOUIS, MO 63179
004	000003	CAPITAL ONE AUTO FINANCE	7933 PRESTON ROAD PLANTO, TX 75024
033	000035	CAPITAL ONE AUTO FINANCE PO BOX 201347	A DIVISION OF CAPITAL ONE NA ARLINGTON, TX 76006

43 NOTICES

THE ABOVE REFERENCED NOTICE WAS MAILED TO EACH OF THE ABOVE ON 07/28/2017.  
I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.  
EXECUTED ON 07/28/2017 BY /S/EPIQ Systems, Inc.